

**THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY**  
**WRIT PETITION No.13708 of 2007**

**Dated 29<sup>th</sup> June 2007**

Between:

P.Satyanarayana Raju S/o P.Krishnam Raju

...Petitioner

And:

The Sub-Registrar, Gopalapatnam Mandal,  
Visakhapatnam District.

...Respondent

**HON'BLE SRI JUSTICE L.NARASIMHA REDDY**  
**WRIT PETITION No.13708 of 2007**

**ORDER:**

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Petitioner states that he is the owner and possessor of the Plot bearing No.4-B, admeasuring 289 square yards in Sy.No.275, situated at Ganesh Nagar, Varahagiri Colony-2, Adivivaram village, Visakhapatnam District. It is also stated that he intended to sell the said plot and approached the respondent along with the intending buyer for registration of the plot. The petitioner complains that the respondent is not entertaining the sale deed presented by him, in respect of the said plot, allegedly on the basis of instructions received from the superior authorities.

Heard the learned counsel for the petitioner and the learned

Government Pleader for Revenue.

Till recently, the scope of refusal to register a document was very limited. The A.P. State Legislature had introduced Section 22-A of the Registration Act 19 of 2007, which provided for several contingencies, under which the registering authority can refuse to register a document. In addition to that, Section 5 of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977 prohibits registration of documents in relation to assigned lands. However, unless the document is attracted by the said provisions, the registering authority cannot refuse registration. Whenever any such reasons or grounds are noticed, they must be communicated to the parties to the document, without any loss of time. Further, the authority cannot refuse to receive the document, because the actual consideration would arise, only after it is received and examined with reference to the relevant provisions. Mere receiving of document does not confer any right or lead to any change in relationship vis-à-vis the property.

Hence, the Writ Petition is disposed of, directing that the respondent shall receive the document, that may be presented by the petitioner, but shall examine the same with reference to the relevant provisions of law, including Section 22-A of the Registration Act 19 of 2007 and Section 5 of the A.P. Assigned Lands (Prohibition of Transfers) Act, 1977. In case, the land is not covered by the said provisions, the document shall be admitted to registration, on being satisfied about the adequacy of stamp duty and registration charges. On the other hand, if the registration is prohibited under the said provisions, the reasons shall be communicated to the petitioner, within ten (10) from the date of presentation of the document. There shall be no order as to costs.

25.06.2007

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